# DEPARTMENT OF SOCIAL SERVICES 744 P Street, Sacramento, CA 95814



November 6, 1992

ALL-COUNTY LETTER NO. 92-98	REASON FOR THIS TRANSMITTAL
TO: ALL COUNTY WELFARE DIRECTORS	[X] State Law Change [] Federal Law or Regulation Change [] Court Order [] Clarification Requested by One or More Counties [] Initiated by SDSS

SUBJECT:

IMPLEMENTATION OF THE AFDC/RCA PROGRAM CHANGES REQUIRED

BY THE RECENTLY ENACTED STATE BUDGET

REFERENCE:

ALL COUNTY INFORMATION NOTICE (ACIN) 1-54-92

ACIN I-49-92

The purpose of this letter is to notify you that the AFDC Program changes contained in ACIN I-54-92, which was recently released with information and materials, are to be implemented effective December 1, 1992.

As you know, the Government Accountability and Taxpayers Protection Act (GATPA) was not approved on November 3, 1992. However, Federal waivers have been approved to implement the following provisions:

#### MAXIMUM AID PAYMENT (MAP) REDUCTION

This provision requires an additional 1.3 percent reduction of the July 1992 MAP levels. This reduction, along with the 4.5 percent reduction effective October 1, 1992, produces a 5.8 percent reduction to the MAP levels in effect on July 1, 1992.

#### RELOCATION FAMILY GRANT (RFG)

This provision restricts the grant amount to either the California computed grant or the MAP amount from the prior state of residence (plus California special needs, if applicable), whichever is less. This rule provides that when an Assistance Unit (AU) does not contain any member who has lived in California for at least 12 months, the AU's grant will be determined using the RFG rule. The RFG rule will continue to apply until a member of the AU has resided in California for 12 consecutive months.

#### ELIMINATION OF THE 100-HOUR RULE

This provision requires the elimination of the 100-hour work limit for AFDC-U recipient cases. This means that AFDC-U principal earner recipients may work over 100 hours in a month and still remain eligible to AFDC-U. However, the 100-hour limit will continue to apply to AFDC-U applicant cases as a means of establishing unemployed parent deprivation.

#### TRAINING

We have reassessed the need for training and have determined that training will not be provided to Counties at this time. However, we understand that there will be many eligibility questions surrounding the implementation of the Budget changes. For this reason, we included a Question and Answer package to address many of your concerns.

#### ATTACHMENTS

Draft regulations to help implement the Budget changes are attached (Attachment I). These regulations are being processed on an emergency basis with a requested effective date of December 1, 1992.

The Question and Answer package (Attachment II) is provided for your information.

#### CONTACTS

If you have any questions or need further information regarding the changes, you may contact the following staff of the AFDC Policy Implementation Bureau at (916) 654-2137 or CALNET 464-2137:

MAP Reduction/Relocation Family Grant - Jane Laciste 100 Hour Rule/Relocation MAP Chart - Yvonne Lee Notices of Action - John Honeycutt Forms/Notices - Elizabeth Allred

Sincerely,

MICHAEL C. GENEST Deputy Director

Welfare Programs Division

Bolden for

Attachments

Adopt Section 40-015 to read:

40-015 IMPLEMENTATION OF REGULATIONS PURSUANT TO SENATE BILL 485, CHAPTER 722, STATUTES OF 1992 AND WELFARE AND INSTITUTIONS CODE SECTION 11201.5, STATUTES OF 1991, CHAPTER 97

40-015

.1 Sections Implemented

The following amendments and adoptions comply with the provisions of Senate Bill 485, Chapter 722, Statutes of 1992 and Welfare and Institutions Code Section 11201.5 Statutes of 1991, Chapter 97. This regulatory action consists of:

Changes to reduce the Maximum Aid Payment (MAP);

Adoption of a requirement which will limit the amount of aid a family may receive when they have not lived in California for 12 months or more; and

Elimination of the 100-hour limit for AFDC-U recipients who work.

.11 Sections Adopted

89-100 Assistance Payments Demonstration Project (APDP)

89-101 Federal Demonstration Project
-Introduction

89-300 Work Incentives

89-301 Elimination of the 100-Hour Rule

89-400 Aid Payments

89-402 MAP Level and MAP Restriction

.12 Sections Amended

41-440 Federal AFDC-U: Unemployed Parent Program

44-315.351 Amount of Aid

.2 Effective Dates

Unless otherwise specified in Section 40-015.21, all regulatory action herein implementing the provisions of Senate Bill 485, Chapter 722, Statutes of 1992 and Welfare and Institutions Code Section 11201.5 Statutes of 1991, Chapter 97, shall be effective December 1, 1992 for both applicants and recipients.

.21 Section

The specified effective date is:

.211 Relocation Family Grant

Section 89-402.4 pertaining to the Relocation Family Grant (RFG) shall only apply to all applicants as of December 1, 1992.

Authority Cited: Sections 10553, 10554, 11209, 11450(g) and 11201.5, Welfare and

Institutions Code.

Reference: Sections 11450.01, 11450.03 and 11201.5, Welfare and

Institutions Code; and Federal Terms and Conditions for the

Assistance Payment Demonstration Project.

Amend Section 41-440 to read:

41-440

#### 41-440 FEDERAL AFDC-U UNEMPLOYED PARENT PROGRAM

The requirements of Section 41-440 apply to all principal earners who establish deprivation based on unemployment whether the individual is included or excluded from the assistance unit.

## HANDBOOK BEGINS HERE

See Section 89-301.2 on the exemption from the 100-hour limit specified in this section for those recipients subject to the Assistance Payments Demonstration Project specified in Division 89. The county shall continue to apply the 100-hour limit to all AFDC-U applicants. (Continued)

## HANDBOOK ENDS HERE

Authority Cited: Sections 10553, 10554, 10604, and 11209, and 11450(g), Welfare

and Institutions Code.

Reference: Sec

Sections 10553, 10554, 10604, 11201.5, and 11270, Welfare and Institutions Code; and 45 CFR 233.10(a)(1), 233.100(a)(5), and 250.30(b); and Family Support Act of 1988, Public Law (PL) 100-485, October 13, 1988; Family Support Administration Action Transmittal 91-15 (FSA-AT-91-15), dated April 23, 1991; Omnibus Budget Reconciliation Act (OBRA) of 1990, Section 5061.

Amend Sections 44-315 to include Handbook Section 44-315.351 to read:

## 44-315 AMOUNT OF AID (Continued)

44-315

.3 Amount of Grant

(Continued)

.35 MAP

(Continued)

## HANDBOOK BEGINS HERE

.351

See Section 89-402 for MAP determinations for recipients subject to the Assistance Payments Demonstration Project as specified in Division 89. (Continued)

# HANDBOOK ENDS HERE

Authority Cited: Sections 10553, and 10554, 11209, and 11450(g), Welfare and

Institutions Code.

Reference:

Sections 11017, 11450, 11450.01, 11450.03, 11452, and 11453,

Welfare and Institutions Code.

Adopt Chapter 89-100 and Section 89-101 to read:

89-100 ASSISTANCE PAYMENTS DEMONSTRATION PROJECT (APDP)

89-100

89-101 FEDERAL DEMONSTRATION PROJECT - INTRODUCTION

89-101

#### HANDBOOK BEGINS HERE

.1 Background

Pursuant to state law, the State Department of Social Services has requested and received federal approval for a California Demonstration Project entitled the Assistance Payments Demonstration Project. This Project enables California, in accordance with its federally mandated Terms and Conditions, to implement certain new AFDC provisions.

The Assistance Payments Demonstration Project provisions are contained in Division 89. They include work incentive provisions, MAP reductions and a relocation grant restriction.

## HANDBOOK ENDS HERE

.2 Control Group

The county shall not apply the Division 89
Assistance Payments Demonstration Project
provisions to those applicants and recipients
who are designated as members of the Project's
control group. The designation and treatment
of the control group shall be accomplished
pursuant to the Project's mandated parameters
outlined in the Federal Terms and Conditions as
approved by the Secretary of the Department of
Health and Human Services.

Authority Cited: Sections 10553, 10554, 11209, 11450(g) and 11201.5, Welfare and

Institutions Code.

Reference: Sections 11450.01, 11450.03 and 11201.5, Welfare and

Institutions Code; and Federal Terms and Conditions for the

Assistance Payment Demonstration Project.

89-300 WORK INCENTIVES

89-300

#### 89-301 ELIMINATION OF THE 100-HOUR LIMIT

89-301

- .1 Reserved
- .2 100-Hour Limit

The county shall not apply the 100-hour limitation specified in Section 41-440 to recipients after the date that aid has been authorized.

# HANDBOOK BEGINS HERE

.21

#### Example 1:

A family applies for AFDC-U on January 5, 1993; the CWD authorizes aid on February 2, 1993. On February 3, 1993, the principal earner (PE) reports that he will begin work on that day and he expects to work over 100 hours per month. Since the PE did not begin working until the day after aid was authorized (i.e., after becoming a recipient), the 100-hour limit is not applicable.

Eligibility for the AU will continue until ineligibility occurs due to excess income, excess property, etc.

#### Example 2:

A family applies for AFDC-U on January 5, 1993; the CWD authorizes aid on February 1, 1993. On February 3, 1993, the PE reports that he returned to work on January 31, 1993 and is expected to work over 100 hours in each of the next 6 months. Since the PE returned to work before aid is authorized (i.e., prior to becoming a recipient), the 100-hour rule limitation is applicable. The CWD will issue a timely notice of action and terminate aid effective February 28, 1993. As ineligibility occurred prior to the authorizing action, the family is overpaid for January 1993 and February 1993.

## HANDBOOK ENDS HERE

Authority Cited: Sections 10553, 10554, 11209, 11450(g) and 11201.5, Welfare and

Institutions Code.

Reference: Section 11201.5, Welfare and Institutions Code; and Federal

Terms and Conditions for the Assistance Payment Demonstration

Project.

Adopt Chapter 89-400 and Section 89-402 to read: .

89-400 AID PAYMENTS

89-400

# 89-402 MAP LEVEL AND MAP RESTRICTION

89-402

# HANDBOOK BEGINS HERE

.1 MAP Amount

Effective December 1, 1992, the MAP level established in Welfare and Institutions Code Sections 11450(a)(1) and (2) is:

Size of AU	MAP
123456789	\$ 307 504
<u>3</u>	<u>624</u>
<u>4</u>	<u>743</u>
5	847
<u>6</u>	<u>952</u>
$\overline{7}$	<u>1,045</u>
8	1,139
9	<u>1,230</u>
10 or more	1,322

## HANDBOOK ENDS HERE

- .2 Reserved
- .3 Reserved
- .4 Relocation Family Grant

Relocation Family Grant (RFG) means the maximum amount of aid payable to an AU when no member of the AU has lived in California for twelve consecutive months immediately prior to the date of application.

.41 Relocation Family Grant Rule

When the RFG is applicable, the county shall compare and base aid on the lesser of:

.411 <u>CA Computed</u> Grant Amount The California computed actual grant amount for a full month, excluding overpayment adjustments, or

.412 Other State MAP

The MAP amount of the previous state or U.S.

Territory of residence, plus California special
needs when included in Section 89-402.411.

(a)

when all members of the AU have not lived in the same prior state, the county shall compare the California computed grant amount to the highest MAP amount of the prior states of residence involved.

(b)

The county shall semi-annually update the other state MAP amounts effective each April 1st and October 1st with figures provided by the State Department of Social Services which are based upon U.S. Department of Health and Human Services data.

#### HANDBOOK BEGINS HERE

.42 Grant Adjustment

Upon determination of the lesser amount of either the California computed actual grant amount or the prior state MAP, the grant will be adjusted for partial month proration, homeless assistance payment and overpayments, as applicable.

#### HANDBOOK ENDS HERE

.43 Reduced Income
Supplemental Payment
(RISP), Homeless
Assistance Payment
for Permanent Housing
and Overpayment
Adjustment Computation

For the purpose of determining the RISP, homeless assistance payment for permanent housing, and computing overpayment adjustments, the MAP specified in Sections 44-402, 44-211.531 and 44-352.41 shall be the lesser of the California MAP or the MAP from the previous state of residence.

.44 How Long

The county shall apply the RFG rule until any member of the AU has lived in California for twelve consecutive months.

## HANDBOOK BEGINS HERE

.45 RFG Example

A mother and her three children arrive in California from Mississippi in April. Four months later (August), they apply for AFDC. The RFG rule will apply to the AU for eight months. (Twelve month residency requirement minus four months in California equals eight RFG months). Their RFG period will end March 31st of the following year.

After the AU received aid for one month, the children's father moves into the home (September). He is the unemployed principal earner and there is federal eligibility. The father has been in California for ten months and was living in Nevada prior to coming to California.

Since the father lived in California longer than anyone else in the AU, the AU will only have two remaining RFG months, which includes the first month of aid for the father. Therefore, the AU's new RFG period will end October 31st.

The county will use Nevada's MAP which is higher than Mississippi's MAP when applying the RFG rule.

#### HANDBOOK ENDS HERE

Authority Cited: Sections 10553, 10554, 11209, and 11450(g), Welfare and

Institutions Code.

Reference: Sections 11450.01 and 11450.03, Welfare and Institutions Code;

and Federal Terms and Conditions for the Assistance Payment

Demonstration Project.

# ATTACHMENT II

# DISCUSSION/QUESTIONS & ANSWERS

# WAIVER OF 100 HOUR RULE FOR AFDC-U RECIPIENTS

# Implementation

Implementation is effective prospectively on December 1, 1992.

#### The Rule

The AFDC-U parent 100 hour rule will cease to be applied to all AFDC-U recipient cases.

The 100 hour rule will still apply to all AFDC-U applicant cases in order to establish deprivation.

Once an applicant case is found eligible under the AFDC-U program and aid has been authorized, the family is no longer subject to the AFDC-U deprivation rule. Eligibility is based on income, property and age unless deprivation changes (e.g., change from AFDC-U to incapacity).

# Transitioning Active Cases

Proposed discontinuances due to full-time employment which are effective 11/30/92, must be carried out.

Should the principal earner fail to work 100 hours or more in December 1992, the proposed discontinuance shall be rescinded, just as current regulations dictate.

#### Example:

The AFDC-U family reports the PE has accepted full time employment on October 30, 1992. Timely notice requires the CWD to notify the family of a November 30, 1992 discontinuance. November benefits must be evaluated for potential overpayment.

On November 30, 1992 the discontinuance takes effect. However, on December 15, 1992 the family reports the PE was laid off and only worked 80 hours in December.

The CWD shall rescind the November 30, 1992 discontinuance and the family will no longer be subject to the 100 hour rule limitation.

# Impact On Mandatory Inclusion

Once AFDC-U eligibility is established, the AFDC-U family remains linked regardless of the number of hours the PE works or until the basis for deprivation changes.

All eligible siblings and half-siblings of the child for whom aid is requested must be included in the AU. The parents must also be included in the AU.

Family members who previously were moved in and out of the AU due to fluctuations in unemployment/full time employment, will no longer be moved in and out.

# Example:

The family consists of Mom and her child, unmarried Dad and a common child. Dad is the PE and becomes unemployed. Mom and her child have been receiving AFDC-FG.

Due to mandatory inclusion, Dad and the common child must be added to the AU.

Two months after their addition to the AU, Dad becomes full-time employed. The 100 hour rule does not exist for recipients, therefore, eligibility continues and Dad and the common child <u>must</u> remain in the AU.

The above example is the same regardless of the parents' marital status or if Dad has a separate child in addition to the common child. Once the common child is aided under the AFDC-U program, the stepfather would no longer be an optional AU member.

# Financial Eligibility

In the above example, the AFDC-U case will not be discontinued until the family's income exceeds financial eligibility standards for an AU of four. Once the case is discontinued, Mom and her child may become eligible again under AFDC-FG. Dad and the common child would remain ineligible as long as Dad continues to work full time. However, if the parents are married, then Dad (the stepfather) becomes an optional AU member again.

If the stepfather's contribution (deemed income) exceeds the 185% or the financial eligibility test, then Mom and her child would remain ineligible.

Note: The CWD shall automatically assess eligibility under AFDC-FG for Mom and her child prior to their discontinuance to avoid a break in aid. It is possible to have a suspension for one month and then have aid resume for the AFDC-FG family.

# AU Composition & Income Eligibility

The AU consists of Mom and her 2 children (absent parent deprivation), Dad and 2 common children (unemployed parent deprivation). Dad is PE.

If Dad begins working and his income exceeds MBSAC for 4 (U-parent unit with Dad, Mom and 2 common children), is the U-parent unit deleted from the AU due to loss of deprivation?

No. Here's why:

Once a family is determined to be AFDC-U eligible, then U-parent deprivation ceases to be a factor of eligibility for the U-parent unit.

Mandatory inclusion rules require eligible half-siblings and their parents to be included in the AU. Therefore, in the above situation, the U-parent unit must be included in the AU with the 2 children with absent parent deprivation.

Income eligibility and financial eligibility rules apply to the entire AU, not to parts of the AU. Therefore, in the above situation, the income eligibility tests would be applied to a MBSAC of 6 (the entire AU).

Once the entire AU becomes financially ineligible and is discontinued, Mom and her 2 separate children may become eligible on the first of the month following discontinuance, if the parents are not married or the stepparent contribution does not exceed income eligibility standards.

#### Ouestions & Answers

- Q1. In the month of application, the PE is under-employed but is expected to work over 100 hours in the following month. Is the applicant family eligible?
- A No, because ineligibility occurs prior to authorizing action.
- Q2. If the CWD grants an AFDC-U case and later discovers through IEVS that the PE was full-time employed, what action does the CWD take?
- A If full-time employed at time of application, then the AFDC-U family would be found totally ineligible since deprivation did not exist at time of application.
  - If full-time employment began after aid was granted, then an eligibility determination for each month must be made based on unreported earnings, not on loss of deprivation.
- Q3. Pregnant woman only case in which the father of the unborn is the PE, underemployed and living in the home. The pregnant woman is in her first trimester.
  - When transferring from State-Only aid to Federal participation, is the family treated as applicants or recipients for purposes of applying the 100 hour rule?
- Due to a change in program (State to Federal), they would be considered applicants for federal AFDC-U benefits and thus subject to the 100 hour rule in order to establish deprivation. In the above situation, if the PE is fulltime employed then the application would be denied, due to no deprivation.

#### RELOCATION FAMILY GRANT (RFG)

#### Implementation

Implementation is effective prospectively on December 1, 1992.

Recipients and those who have filed an application for cash aid prior to December 1, 1992 are unaffected by RFG rules.

Any applicant family who applies on or after December 1, 1992 must be evaluated for RFG.

#### The Rule

The RFG is the maximum amount of aid an AU can get when no member of the AU has lived in California for twelve consecutive months immediately prior to the date of application.

The RFG is the lesser of the California computed grant or the former state MAP plus California special needs.

## QUESTIONS AND ANSWERS

- Q1. When computing the RFG period, does a partial month count as a full month when determining how many months a person has been in California?
  - Example: Person enters California on November 29, 1993.

    Does the person get full credit for November?
- A A partial month counts as a full month. In the example, full month credit is given for November.
- Q2. A family has lived in California all their lives, then leaves California on November 2, 1993 intending to live in another state and returns to California on December 15, 1993, would the RFG rules apply?
- A No, because full month credit would be given for November and December. The 12 consecutive month cycle is unbroken.
- Q3. What if the family left on October 31, 1993 to live in another state and returned on December 15, 1993?
- A The RFG would apply because in December the family would not have lived in California for 12 consecutive months prior to application. The family would be subject to 12 full months of RFG.
- Q4. If the AU member who has lived in California for the longest period of time leaves the AU, must RFG be redetermined?
- A No, determination of RFG occurs only at the time of application or when a new AU member is added to an existing RFG case.

- Q5. Does the RFG rule apply if children from another state move in with an unaided caretaker relative who is a California resident? (No other eligible children)
- A Yes, RFG applies because the non-needy caretaker is not a member of the AU.
- Q6. In the above situation could the unaided caretaker relative, who has lived in California for more than 12 months, request aid for herself for one month in order to avoid a RFG determination?
- A Yes, because the RFG only occurs at application or when adding a new AU member to an existing RFG case. The caretaker could request aid for herself, be aided for one month, and avoid the RFG determination for the AU.
- Q7. Do all applicants have to verify they have lived in the State for the past 12 months?
- Yes. Using existing verification requirements, the CWD must attempt to verify where the applicant AU members have lived during the 12 consecutive months prior to application. Absent documentary verification and absent conflicting information, the client's sworn statement will be sufficient.

Once the CWD has verified that at least one AU member has lived in California for the past 12 months, the verification process will cease.

- Q8. How is the last state of residence determined? (Ex. the family has come through several states before arriving in California)
- A The previous state of residence will be established by determining in which state the family intended to live, (ie. was the last place they came from where they had intended to live).
- Q9. Are ineligible aliens considered members of the AU for the purpose of determining the RFG period and/or former state MAP?
- No, the person(s) establishing whether or not an AU is subject to the RFG must actually be in the AU. Therefore, if the only family member to have lived in California for 12 consecutive months prior to the date of application is an Ineligible Alien, the AU is subject to RFG.

- Q10. A family moves to California from Oregon. Does the RFG rule apply if the family was not on aid in Oregon?
- A Yes, The RFG rule will apply regardless of whether a family was on aid in their former state. RFG will apply until at least one member of the AU has lived in California for 12 consecutive months.
- Q11. Does the RFG rule apply to applicants who have moved to California from another country?
- A No, only from other states or U.S. Territories that have AFDC.
- Q12. An Applicant family indicates they have just come from Arizona, received an Arizona AFDC grant this month, but never really intended to live in Arizona. Does the CWD use Arizona as the former state for RFG purposes?
- A Yes, receipt of aid from another state creates a presumption of the family's intent to live in that state. Although the family now states they never really intended to live in Arizona, their receipt of aid in Arizona establishes intent. (Residency in a state is a condition of eligibility 45CFR233.40.)
- Q13. How are refugees to be treated?
- A If the refugee family's port of entry (POE) is California and they enter and remain in California, then RFG does not apply.
  - If the refugee family's POE is another state, then the CWD must determine whether the family intended to live in that state. If they received AFDC/RCA in that state then their intent to live there is established and RFG would apply.
- Q14. The RFG family applied on January 1, 1993. What would an immediate need payment be if the California computed grant was \$300 and the MAP from the previous state was \$150?
- A The payment would be the lesser of the computed aid payment or the \$200 immediate need payment. In this situation, the payment is \$150.

- Q15. When computing the RFG payment, is Homeless Assistance added to the former state MAP prior to the comparison with the California computed grant?
- A No, Homeless Assistance, proration and overpayment adjustments are applied after the aid payment is determined.
- Q16. If the client provides verification that the grant amount from their former state is larger than the chart amount, which amount should the CWD use?
- A The CWD shall always use the chart amount which will be up dated semiannually by SDSS.
- Q17. The chart only provides MAP amounts for up to 15 persons. What should the CWD do if a family of 16 or more applies for aid?
- A Contact the SDSS on a case by case basis.
- Q18. The RFG chart has 2 columns for an AU size of 1: 1 Child and 1 Adult. How do you determine which column to use?
- A Some states pay one amount for a child and a different amount for an adult. The CWD will only use these two columns when the AU size is one. If the AU member is a child, use the 1 Child column; if the AU member is an adult, use the 1 Adult column.
- Q19. Homeless Assistance Permanent Housing payments, RISP payments and overpayment adjustments are all based on MAP amounts for a particular AU size. Which MAP is used to determine any of the above for a RFG case?
- A Use the lesser of either the California MAP or the prior state MAP in the computation of the above.
- Q20. If a family moves to California and immediately applies for AFDC and has a 12 month RFG period, would the birth of a new baby in California make the family eligible to a California grant?
- A No, neither the newborn or any other member of the AU has lived in California for 12 consecutive months.

- Q21. A child has been receiving aid for the past 12 consecutive months in California with a non-parent caretaker. The child's parents and siblings come to California from another state and apply for themselves and the California child. Does the one child get a California grant and the rest of the family get the RFG grant?
- No, when anyone in the AU has lived in California for 12 months immediately prior to application, then the RFG restriction does not apply. However, if the out of state family members are granted aid prior to the addition of the California child, then the RFG restriction would apply until the child becomes a member of the parents' AU.
- Q22. If a new AU member is being added to an existing RFG case and the new member comes from a state with a higher MAP, how is the month's grant computed?
- A The higher former state MAP is used effective on the beginning date of aid for the new AU member.

Rules for adding a person to an AU, beginning date of aid and partial month proration are unchanged.

The aid payment is prorated using the old MAP and old AU size from the first of the month through the day before the new AU member is added. The aid payment is again prorated using the new MAP and the new AU size from the date the member is added through the last day of the month. The two prorated figures are then added together. The sum of the figures is the total month's aid payment amount. Drop any cents after adding the prorated figures together. (MPP 44-315.7 & MPP 44-317.113)